

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CARBON FIBERS FORMED FROM SINGLE-WALL CARBON NANOTUBES**

the specification of which:



is attached hereto.



was filed on:

September 3, 1999

as Application No.:

**09/380,545**

and was amended on

\_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Prior Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/040,152	03/07/97
60/055,037	08/08/97
60/063,675	10/29/97
60/064,531	11/05/97
60/067,325	12/05/97
60/047,854	05/29/97

**Prior United States Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
08/687,665	07/26/96	Pending

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Rodger L. Tate, Registration No. 27,399; Scott F. Partridge, Registration No. 28,142; Jerry W. Mills, Registration No. 23,005; Robert Neuner, Registration No. 24,316; James Remenick, Registration No. 36,902; James B. Arpin, Registration No. 33,470; Laurence H. Posorske, Registration No. 34,698; Floyd B. Chapman, Registration No. 40,555; Robert A. King, Registration No. 42,738; William F. Nixon, Registration No. 44,262; Andrew D. Skale, Registration No. 44,338; Robert L. Troike, Registration No. 24,183; Jay M. Cantor, Registration No. 19,906; and Jay B. Johnson, Registration No. 38,193.

All correspondence and telephone communications should be addressed to: Laurence H. Posorske, Esq., **Baker & Botts, L.L.P., The Warner, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400**, telephone number (202) 639-7700, facsimile number (202) 639-7890, which is also the address, telephone and facsimile numbers of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature



Date Nov 8, 1998

Full Name of  
First Inventor:

SMALLEY  
(Family Name)

Richard  
(First Given Name)

E.  
(Second Given Name)

Citizenship:

USA


Residence:

1816 Bolsover, Houston, TX 77005

Post Office

Address:

Same as Above

Signature  Date 11-4-99  
 Full Name of Second Inventor: COLBERT Daniel T.  
 (Family Name) (First Given Name) (Second Given Name)  
 Citizenship: USA  
 Residence: 1911 Milford Street, Houston, TX 77098  
 Post Office Address: Same as above

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Full Name of Third Inventor: DAI Hongjie  
 (Family Name) (First Given Name) (Second Given Name)  
 Citizenship: CHINA  
 Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086  
 Post Office Address: Same as above

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Full Name of Fourth Inventor: LIU Jie  
 (Family Name) (First Given Name) (Second Given Name)  
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 Residence: 5825 Gulfton #3214, Houston, TX 77081  
 Post Office Address: Same as above

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Full Name of Fifth Inventor: RINZLER Andrew G.  
 (Family Name) (First Given Name) (Second Given Name)  
 Citizenship: USA  
 Residence: 6666 Chetwood, Apartment 171, Houston, TX 77081  
 Post Office Address: Same as above

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Full Name of Sixth Inventor: HAFNER Jason H.  
 (Family Name) (First Given Name) (Second Given Name)  
 Citizenship: USA

Signature

*D. J. Colbert*

Date 11-4-99

Full Name of

Second Inventor: COLBERT  
(Family Name)

Daniel  
(First Given Name)

T.  
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*Hongjie Dai*

Date 11/17/99

Full Name of

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Date

Full Name of

Fourth Inventor: LIU  
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Post Office

Address: Same as above

Signature

Date

Full Name of

Fifth Inventor: RINZLER  
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Date

Full Name of

Sixth Inventor: HAFNER  
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Date 11-4-99

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Date 11/15/1999

Full Name of

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Signature

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Full Name of

Fifth Inventor: RINZLER  
(Family Name)

Andrew  
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(Second Given Name)

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Signature

Date

Full Name of

Sixth Inventor: HAFNER  
(Family Name)

Jason  
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(Second Given Name)

Citizenship: USA

10033470.12200

Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of  
Second Inventor: COLBERT Daniel T.  
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Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of  
Third Inventor: DAI Hongjie  
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Post Office  
Address: Same as above

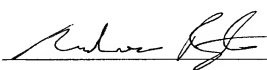
Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of  
Fourth Inventor: LIU Jie  
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Full Name of  
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Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of  
Sixth Inventor: HAFNER Jason H.  
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Signature

Date 11-4-99

Full Name of

Second Inventor: COLBERT  
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(First Given Name)T.  
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Full Name of

Third Inventor: DAI  
(Family Name)Hongjie  
(First Given Name)

(Second Given Name)

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Full Name of

Fourth Inventor: LIU  
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Full Name of

Fifth Inventor: RINZLER  
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Date 11-18-99

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Signature  Date 11.4.99

Full Name of Seventh Inventor: SMITH Ken  
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Signature  Date \_\_\_\_\_

Full Name of Eighth Inventor: GUO Ting  
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Signature  Date 11.8.99

Full Name of Ninth Inventor: NIKOLAEV Pavel  
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Signature \_\_\_\_\_ Date \_\_\_\_\_

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 Post Office Address: Same as above

1003470-122801



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TO 02092#023760875# P.05/08  
Attorney Docket No. 002376.0875

Residence: 373 Highland Avenue, No. 203, Somerville, MA 02144

Post Office

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(First Given Name)

(Second Given Name)

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Date 12/20/99

Full Name of

Eighth Inventor:

GUO

(Family Name)

Ting

(First Given Name)

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Signature \_\_\_\_\_

Date \_\_\_\_\_

Full Name of

Ninth Inventor:

NIKOLAEV

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Address:

Same as above

Signature \_\_\_\_\_

Date \_\_\_\_\_

Full Name of

Tenth Inventor:

THESS

(Family Name)

Andreas

(First Given Name)

(Second Given Name)

Citizenship:

GERMANY

Residence:

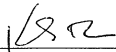
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Strukturbioogie am Klopferspitz 180, D-82152 Martinsried, Germany

Post Office


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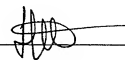
Residence: 373 Highland Avenue, No. 203, Somerville, MA 02144  
 Post Office  
 Address: Same as above

Signature  Date 11.4.99  
 Full Name of  
 Seventh Inventor: SMITH Ken  
 (Family Name) (First Given Name) (Second Given Name)

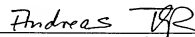
Citizenship: USA  
 Residence: 17431 Fairway Oaks, Spring, TX 77379  
 Post Office  
 Address: P.O. Box 11049, Spring, TX 77391-1049

Signature  Date \_\_\_\_\_  
 Full Name of  
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Signature  Date 11.8.99  
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Signature  Date Nov 17, 1999  
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 Post Office  
 Address: Same as above

10033470-152801

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Richard E. Smalley et al.

For: CARBON FIBERS FORMED FROM  
SINGLE-WALL CARBON  
NANOTUBES

Atty Dkt: 11321-P012WOUS  
(formerly 002376.0875)

Assistant Commissioner for Patents  
Washington, DC 20231

Serial No: 09/380,545  
Filed: September 3, 1999  
Group Art Unit: 1754  
Examiner: Stuart Henderson  
703.308.2539

## CERTIFICATE OF MAILING (37 C.F.R. 1.8)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below.

7-19-01  
Date

Signature

Printed Name

## SUBSTITUTE POWER OF ATTORNEY

Sir:

William Marsh Rice University, being the assignee of all right, title and interest in and to the above-identified patent application by means of an assignment recorded on December 22, 1999, on Reel 010644, Frame 0517, hereby revokes all powers of attorney previously granted with respect to the present application, and hereby appoints:

Ross S. Garsson, Reg. No. 38,150, Hugh R. Kress, Reg. No. 36,574; Robert C. Shaddox, Reg. No. 34,011; Henry L. Ehrlich, Reg. No. 39,663; and Timothy M. Donoughue, Reg. No. 46,668,

each an attorney with the firm of Winstead Sechrest & Minick, P.C., as its attorneys to prosecute the captioned application, and to transact all business in the Patent and Trademark Office connected therewith.

1003470-122001

IN RE APPLICATION S.N. 09/380,546  
RICHARD E. SMALLEY ET AL.  
SUBSTITUTE POWER OF ATTORNEY

Please address all future correspondence to:

Hugh R. Kress  
Winstead Sechrest & Minick, P.C.  
2400 Bank One Center  
910 Travis Street  
Houston, Texas 77002  
713.650.2714 (voice)  
713.650.2400 (fax)

William Marsh Rice University

Date: 7/17/01

By: 

Daryl S. Boudreaux  
Director, Office of Technology Transfer

HOUSTON\_1\504473\1  
07/18/2001 - 11321-P012W0US

ATTORNEY DOCKET NO.  
11321-P012WOUS

PATENT  
Application No. 09/380,545

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Smalley et al.

Serial No.:

09/380,545

Filing Date:

Dec. 22, 1999

For:

**CARBON FIBERS FORMED  
FROM SINGLE-WALL  
CARBON NANOTUBES**

Examiner:

Not Yet Assigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**CERTIFICATE OF FACSIMILE  
TRANSMISSION**

I hereby certify that this paper for Application, Registration  
and/or the paper identified herein is being facsimile  
transmitted to the Patent and Trademark Office fax number  
indicated below on the date indicated below.

*Connie C. Pank*  
Signature

*CONNIE C. PANK*  
Printed

*6-30-00*  
Date

703/308-7048  
Fax No.

**REVOCATION AND SUBSTITUTION OF POWER OF ATTORNEY**

William Marsh Rice University, the Assignee for the above-referenced patent application, pursuant to an Assignment document which was recorded in the United States Patent and Trademark Office on December 22, 1999, under Reel No. 010644 and Frame No. 0517, hereby revokes any and all prior Powers of Attorney executed in connection with the above-identified patent application, and hereby appoints:

Hugh R. Kress, Reg. 36,574  
Dwayne L. Mason, Reg. No. 38,959  
Robert C. Shaddox, Reg. No. 34,011

all of the firm of Winstead Sechrest & Minick, P.C., as our attorneys with full power of substitution and revocation, to prosecute said application and any continuations or divisions thereof, and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty.

Please send all correspondence, papers and notices for all purposes to the address listed below:

Robert C. Shaddox  
WINSTEAD SECHREST & MINICK, P.C.  
910 Travis, Suite 2400  
Houston, Texas 77002

and direct all telephone calls to Robert C. Shaddox (713) 650-2764. Please also note the attorney docket number: 11321-P012WOUS.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6/30/00

WILLIAM MARSH RICE UNIVERSITY

By: \_\_\_\_\_

Joseph B. Davidson  
JOSEPH B. DAVIDSON

Printed Name

ASSOCIATE GENERAL COUNSEL  
Title